

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:  
Richard C. Grey and Stephanie L. Grey,  
Debtor(s)

Eric E. Bononi, Trustee,  
Movant

v.

Richard C. Grey and Stephanie L. Grey, Corey J.  
Sacca, Esq. and Bononi & Company, P.C., Robert H.  
Slone, Esq. and Mahady & Mahady,  
Respondent(s)

Bankruptcy No. 21-20071-CMB

Chapter 7

Hearing Date & Time: Tuesday, July 13, 2021 at 1:30  
PM

**APPLICATION TO EMPLOY SPECIAL COUNSEL**

AND NOW, the Trustee, Eric E. Bononi, in his capacity as Trustee of the above-captioned bankruptcy Estate, moves this Honorable Court pursuant to 11 U.S.C. §327 and Bankruptcy Rule 2014(a) to issue an Order in the form attached hereto approving this Application for Employment of Special Counsel and authorizing the employment of Corey J. Sacca, Esquire, and the law firm of Bononi & Company, P.C., 20 North Pennsylvania Avenue, Suite 201, Greensburg, PA 15601 and Robert H. Slone, Esquire and Mahady & Mahady, 223 S. Maple Avenue, Greensburg, PA 15601, (hereinafter referred to as “Proposed Counsel”), on the terms and conditions set forth below. In support, the Trustee respectfully represents as follows:

1. On January 13, 2021, Debtor, Richard C. Grey and Stephanie L. Grey, commenced a voluntary case under Chapter 7 of the Bankruptcy Code. Movant, Eric E. Bononi (hereinafter referred to as “Trustee”), was duly appointed to act as the Chapter 7 Trustee in this case.

2. On February 12, 2021, the Trustee held the initial 341 Meeting of Creditors.

3. The co-debtor listed that she was one of nine beneficiaries in her uncle, Edward Bartosh Family Trust on her schedules.

4. Per the Trust records, the Trustee has concluded that the Trust is a simple trust; wherein, the bankruptcy estate is entitled to the co-debtors one-ninth portion of the trust funds.

5. The Trustee requires the services of experienced legal counsel to litigate and/or pursue this matter on behalf of the Trustee and the Estate. The Trustee desires to retain such counsel on a contingent fee basis.

6. Proposed Counsel has indicated that they are willing to represent the Trustee in this matter and that they are willing to do so on a contingent-fee basis plus out-of-pocket expenses pursuant to the Engagement Letter attached hereto as Exhibit “A.”

7. Proposed Counsel is qualified to perform the requested services, hold no interests adverse to the Estate, and is a disinterested person as defined in 11 U.S.C. §101(14). The Verified Statement of Proposed Counsel is attached at Exhibit “B”.

8. The Trustee believes that the assistance of special counsel is necessary and critical to the successful recovery of assets on behalf of the Estate.

9. The Trustee believes that the fee arrangement is reasonable.

10. The court has power to authorize employment of Special Counsel for the Trustee, pursuant to 11 U.S.C. § 327(a) which states in part:

“[T]he trustee, with the court’s approval, may employ one or more...attorneys...or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee’s duties under this title.”

11. The Trustee therefore respectfully requests that this Court approve the employment of Proposed Counsel Corey J. Sacca, Esquire and the law firm of Bononi & Company, P.C. and Robert H. Slone, Esq. and Mahady & Mahady as Special Counsel to the Trustee pursuant to the terms set forth in Exhibit “A.”

WHEREFORE, the Trustee respectfully requests that he be authorized to employ Proposed Counsel Corey J. Sacca, Esquire and the law firm of Bononi & Company, P.C. and Robert H. Slone, Esq. and Mahady & Mahady as Special Counsel to the Trustee, as to render services in the areas described above with compensation to be paid as an administrative expense in such amounts as this court may hereinafter determine and allow upon application or applications to be filed by said Special Counsel.

DATE: June 15, 2021

Prepared by:  
Eric E. Bononi, Esq.

Respectfully submitted,

/s/ Eric E. Bononi  
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